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August 16, 2007

Via Fax 212-805-4268

United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007
Attn: Magistrate Judge Gabriel Gorenstein

**Re: 07 CV 3609 (Judge Koeltl)
Topol v. Ocean Frost Corp. & Caranguiminchala
Our File No. 07-0290**

Honorable Gabriel Gorenstein:

Pursuant to the Standing Order with respect to cases referred for Settlement Conference, and in particular, pursuant to Paragraph 8 of said order, request is hereby made by defense counsel and has been consented to by plaintiff's counsel for an adjournment of the conference presently scheduled for August 22, 2007 at 2:30 p.m. in Courtroom 17-A. The conference will be more fruitful in terms of a meaningful settlement discussion once the depositions of the parties have been completed in addition to the completion of a physical examination of the plaintiff. Therefore, a request is made that the Court afford us an opportunity to have a settlement conference no earlier than October 15, 2007. This would ensure the holding of the depositions, the holding of the physical examination and the receipt of a report from the examining doctor.

I wish to reiterate that this is the defendants' request; however, plaintiff's counsel is in agreement and has consented to the adjournment of this conference.

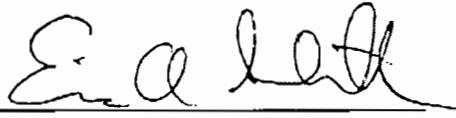
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Topol v. Ocean Frost Corp

Thank you for your attention and courtesies in this matter.

Respectfully submitted,

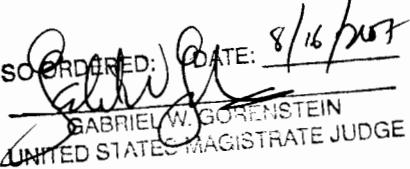
BRUCE A. LAWRENCE, ESQ.

By 

Eric A. Schnittman (6692)

TO: BARON & PAGLIUGHI
Attorneys for Plaintiff
85 Main Street, Suite A
Cold Spring Harbor, NY 11724
Attn: Peter D. Baron (8519)

*Confidence conferred to October
29, 2007 at 2:30 pm. Letters due
October 24.*

SUPERIOR COURT OF NEW YORK
STATE OF NEW YORK
UNITED STATES DISTRICT COURT
Schenectady Division
ORDERED: DATE: 8/16/07

GABRIEL W. GORENSTEIN
UNITED STATES MAGISTRATE JUDGE